

MINUTES

MONTANA HOUSE OF REPRESENTATIVES 58th LEGISLATURE - REGULAR SESSION

JOINT APPROPRIATIONS SUBCOMMITTEE ON CORRECTIONS AND PUBLIC SAFETY

Call to Order: By **CHAIRMAN STANLEY (STAN) FISHER**, on January 17,
2003 at 8:05 A.M., in Room 317-A Capitol.

ROLL CALL

Members Present:

Rep. Stanley (Stan) Fisher, Chairman (R)
Sen. Corey Stapleton, Vice Chairman (R)
Sen. Keith Bales (R)
Rep. Tim Callahan (D)
Rep. Dave Lewis (R)
Sen. Trudi Schmidt (D)

Members Excused: Rep. Carol C. Juneau (D)

Members Absent: None.

Staff Present: Marian Collins, Committee Secretary
Brent Doig, OBPP
Lorene Thorson, Legislative Branch

Please Note: These are summary minutes. Testimony and
discussion are paraphrased and condensed. The time
stamp for these minutes appears at the beginning
of the content it refers to.

Committee Business Summary:

Hearing & Date Posted: Department of Corrections Budget,
1/14/2003

Executive Action: None

{Tape: 1; Side: A; Approx. Time Counter: 3.8 - 30.7}
{Tape: 1; Side: B; Approx. Time Counter: 1.9 - 30.5}
{Tape: 2; Side: A; Approx. Time Counter: 0.2 - 8.4}

Mike Ferriter, Administrator, Community Corrections Division (CCD), gave an overview of CCD, introduced the Division managers, and presented the committee with information about CCD in Exhibit #1. CCD is responsible for supervision and management of adult felony offenders in a variety of programs and facilities throughout Montana. The goal of CCD is to provide safe and effective alternatives to traditional prisons. CCD is requesting \$24,823,372 for FY 2004 and \$25,165,243 in FY 2005. This is approximately 23% of the total Department of Corrections (DOC) budget. CCD manages over 75% of the adult offenders within the jurisdiction of the Department of Corrections. CCD is requesting present law adjustment funding for: 1) treatment and employment funding for probation and parole; 2) an adjustment for the Cook/Chill Program at the Treasure State Correctional Training Center; 3) a base increase for the private, non-profit prerelease centers; 4) a base increase for the DUI facility (WATCH Program).

Mr. Ferriter referred the committee to pages 4 and 5 of Exhibit #1 which list the key tasks of CCD. He emphasized 1.1, 1.2, 4.1, 4.2, 5.1, 6.2, and 6.5 of the key tasks. **Mr. Ferriter** described each bureau within CCD, and identified responsibilities of each bureau.

EXHIBIT (jch10a01)

SEN. SCHMIDT asked about proposed plans for a 40-bed prerelease center on one of the Indian Reservations. **Mr. Ferriter** stated that the 2001 Legislature asked CCD to do a feasibility study regarding a 40-bed prerelease center on a Reservation. That study is complete and ready for distribution. There is no request for funding at this time. **CHAIRMAN FISHER** asked where the center would be located with Montana having seven Reservations. **CHAIRMAN FISHER** also commented that perhaps this prerelease center should be funded federally. **Mr. Ferriter** noted those were issues discussed with tribal authorities and are under consideration.

{Tape: 2; Side: A; Approx. Time Counter: 8.6 - 13.5}

Sue Wilkins, Director, Missoula Prerelease Center (MPC), stated that, despite the facility's appearance, it is one of the tougher programs in the State of Montana. Other community corrections programs are operated out of MPC for the county and the city. MPC offers chemical dependency treatment, psychological treatment, family treatment, parenting skills, career

development, and whatever other needs are identified to help the individuals prepare to enter the community. These individuals are held accountable for payment for these services, as well as room and board, most of their own medical care, their own personal hygiene items, and their clothes.

The request for funding is primarily to offset the 80% increase in professional liability and general liability insurance the prerelease center experienced in 2002.

{Tape: 2; Side: A; Approx. Time Counter: 14.0 - 19.1}

Dave Armstrong, Director, Billings Prerelease Program, stated that when prerelease centers were started in the 1980's, people were coming out of prison with \$100 and a bus ticket. These conditions led to development of the treatment services now offered. Prerelease centers are approximately \$20 a day less than institutional placement. Savings per year are about \$4 million by keeping these inmates out of prison. Approximately \$2 million is repaid by the inmates. Montana currently has five prerelease centers.

Over the last four years, prerelease centers have had less than a one percent increase in funding. The losses have been made up through expansion (more beds). If this continues, services will need to be cut. The five percent increase per annum requested would only offset the increases in insurance. There are bond obligations on several facilities that are backed by the state that will be difficult to meet if there are any funds taken away from prerelease. The treatment services offered at prerelease centers are what makes the program successful. **SEN. SCHMIDT** asked how the morale is among employees. **Mr. Armstrong** stated that there is a high turnover of employees due to the low wages.

{Tape: 2; Side: A; Approx. Time Counter: 19.2 - 21.9}

Mike Ruppert, CEO, Boyd Andrew Community Services, Helena, MT, informed the committee that the Helena Prerelease Center offers chemical dependency treatment to Lewis and Clark, Jefferson and Broadwater County residents. **Mr. Ruppert** invited the committee to visit the 18-month-old facility for a tour. The Helena Prerelease Center was also built with community facility bonds.

Paul Cory, Great Falls Prerelease Center, stated that what participants in the residential environment of the prerelease center value most is structure.

{Tape: 2; Side: A; Approx. Time Counter: 25.4 - 30.1}

Mike Thatcher, CEO, Community Counseling Corrections Services, Butte, MT, informed the committee that the Butte prerelease center not only gets inmates prior to leaving prison, but also as an alternative to sending them to prison.

{Tape: 2; Side: B; Comments: side B is blank}

{Tape: 3; Side: A; Approx. Time Counter: 0.5 - 8.7}

SEN. SCHMIDT asked the prerelease center directors to identify some of their unique programs. **Mr. Armstrong** stated the Billings Prerelease Center operates jail-alternative programs in Stillwater, Gold Valley, Musselshell, Carbon and Yellowstone Counties where they deal with 4,000 offenders a year. Most offenders self-pay, and the counties also contribute. When classes are offered at the prerelease center, outside community members are also using the treatment services. Prerelease centers work with the federal, state, city and county governments which eliminates replication of services. **Mr. Ruppert** noted the Helena Prerelease Center's use of state-of-the-art technology. Computerized, digital video surveillance systems record images to hard drive when the system detects motion. It's possible to watch video of the prerelease via computer with a high-speed internet connection. The Helena Prerelease Center was originally the Boyd Andrew Center which was a chemical dependency treatment center before becoming part of DOC. **Mr. Cory** stated the Great Falls Prerelease Center's uniqueness is their connection to the boot camp's aftercare program which is the only one in Montana. Several programs unique to the Great Falls Center are: 1) the Victim Impact Program; 2) female mentoring program; and 3) it is the only union-affiliated prerelease center in Montana. **Mr. Thatcher** noted that all prerelease centers in Montana are non-profit. Non-profits can only do three things with any left-over revenue: 1) put it back into their program, 2) spend it on clients; or 3) invest it in personnel. These programs are not money-driven.

{Tape: 3; Side: A; Approx. Time Counter: 9 - 31}

{Tape: 3; Side: B; Approx. Time Counter: 2 - 7.1}

Mr. Ferriter gave an overview of the Missoula Assessment and Sanction Center (MASC). The plan for the Center is to sort out the DOC inmates who can be placed in a less-costly living situation, and to see if the number of offenders that are receiving supervision violations can be reduced. The program is a few months old. No new money is requested at this time. The program is explained in detail in Exhibit #1.

Mr. Ferriter also gave an overview of the Interstate Compact, the Warm Springs Addictions Treatment & Change Program (WATCH) Felony DUI Program, and the Treasure State Correctional Training Center (Boot Camp) Program. These programs are also explained in Exhibit #1.

{Tape: 3; Side: B; Approx. Time Counter: 7.3 - 20}

Mr. Thatcher presented a more complete presentation of the WATCH Felony DUI Program. Fourth-offense DUI convictions can complete the program in six months and be on probation for the seven remaining months of their thirteen-month sentence. Information specific to the WATCH Program is listed as Exhibit #2.

EXHIBIT(jch10a02)

{Tape: 4; Side: A; Approx. Time Counter: 5.4 - 13.1}

Dan Burden, Superintendent, Treasure State Correctional Training Center (TSCTC), explained that TSCTC is a 90-120 day voluntary program. The program is also known as "Boot Camp." The majority of offenders in the program are nonviolent criminals. In 2002, 102 graduated and saved Montana taxpayers \$1.7 million by staying out of prison. The new conviction rates for offenders from the TSCTC program during 1998 and 1999 was 12.7%. The program's main emphasis is accountability. Intense physical discipline as well as several other programs listed on page 3 of the blue section in Exhibit #1 are required of all participants. Of the 92 offenders who failed the TSCTC program, they spent an additional 358 days in the Montana State Prison. It is still cheaper to send the offenders to the TSCTC program, even if they fail, than if they had gone to prison.

EXHIBIT(jch10a03)

REP. CALLAHAN stated that several graduates of the Boot Camp have gone to the Great Falls Juvenile Detention Center and participated in panel activities with kids in detention. The graduates have had a very good presence in Great Falls. They're able to relate to the kids because of their youth and experience.

REP. LEWIS asked about the recidivism rate for graduates of the Boot Camp. **Mr. Burden** stated that the recidivism rates are comparable to parolees from prison, but new crime conviction rates are lower than if they come out of prison, and they are lower if you compare them with offenders of the same age and same backgrounds.

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{Tape: 4; Side: A; Approx. Time Counter: 16. - 18.5}

Joe Williams, Administrator, Centralized Services, Department of Corrections, stated that the Cook/Chill operation recently went through a legislative audit which stated the operation wasn't covering its cost for depreciation on the equipment. Therefore an increase is requested from all agencies now purchasing Cook/Chill meals.

Mr. Ferriter presented two other documents to the committee. The first deals with a feasibility study regarding establishment of a prerelease center on a Montana Indian reservation to serve the needs of American Indian inmates. The second report deals with the legislature's request regarding the jail sanction program.

EXHIBIT(jch10a04)

EXHIBIT(jch10a05)

CHAIRMAN FISHER asked if Community Corrections would be an advocate for establishing more prerelease centers. **Mr. Ferriter** responded that there are 113 people on a waiting list to get into a prerelease, so there is definitely a need.

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ADJOURNMENT

Adjournment: 11:10 A.M.

REP. STANLEY (STAN) FISHER, Chairman

MARIAN COLLINS, Secretary

SF/MC

EXHIBIT (jch10aad)